

SENATE BILL NO. 430

INTRODUCED BY A. ELLIS, GLASER, KEENAN, SHEA, WATERMAN

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A READING GOAL FOR ~~4TH-GRADE~~
3RD-GRADE STUDENTS; REQUIRING THE TESTING OF EVERY ~~4TH-GRADE~~ 3RD-GRADE STUDENT TO
DETERMINE THE STUDENT'S READING LEVEL; REQUIRING EVERY SCHOOL TO MAKE ANNUAL
IMPROVEMENTS TOWARDS THE READING GOAL; REQUIRING REPORTS ON READING GOAL PROGRESS
TO THE LEGISLATURE, THE SUPERINTENDENT OF PUBLIC INSTRUCTION, PARENTS OR GUARDIANS,
AND LOCAL COMMUNITIES; ENCOURAGING PARENTS TO READ TO THEIR CHILDREN; ~~SUPERSEDING~~
~~UNFUNDED-MANDATE LAWS~~; REQUIRING THE STATE TO PAY \$1 FOR EACH 3RD-GRADE STUDENT
ENROLLED IN PUBLIC SCHOOLS TO REIMBURSE DISTRICTS FOR THE PURCHASE OF A
CRITERION-REFERENCED TEST FOR READING ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title.** [Sections 1 through 6] may be cited as the "Reading
Accountability Act".

NEW SECTION. **Section 2. Legislative findings and intent.** The legislature finds that it is essential
for children in the public schools to read early and well in elementary school. The legislature further finds
that a clear and visible goal, assessments to determine the reading level at each school, measurements
of elementary school reading improvement, and the creation of accountability at each level of the
educational system will result in a significant increase in the number of children reading at or above grade
level.

NEW SECTION. **Section 3. Definitions.** As used in [sections 1 through 6], the following definitions
apply:

(1) "Actual percentage" means the headcount enrollment of ~~4th-grade~~ 3RD-GRADE students reading
at or above ~~4th-grade~~ 3RD-GRADE level divided by the headcount enrollment of ~~4th-grade~~ 3RD-GRADE
students in the elementary school on the date the ~~4th-grade~~ 3RD-GRADE reading assessment is

1 administered.

2 (2) "Adjusted percentage" means the actual percentage minus those students who were not in
3 the district at least one-half of each of the student's ~~3rd-grade and 4th-grade~~ 2ND-GRADE AND 3RD-GRADE
4 years and minus those students who have been enrolled in a bilingual program for 2 years or less from
5 both the numerator and denominator.

6 (3) "At or above ~~4th-grade~~ 3RD-GRADE level" means at or above the grade-level equivalent standard
7 established for the test.

8 (4) "Baseline" means the elementary school's actual percentage in the spring of 2002.

9 (5) "CRITERION-REFERENCED TEST" MEANS A TEST THAT IS DESIGNED TO MEASURE A STUDENT'S PROGRESS
10 TOWARD UNDERSTANDING AND APPLYING SPECIFICALLY TAUGHT CONCEPTS AND FOR WHICH TEST SCORES REPORT THE
11 LEVEL OF SKILL OR LEARNED INFORMATION COMPARED TO A STANDARD FOR THE CONCEPTS TAUGHT.

12 ~~(5)~~(6) "Equal annual incremental improvement" is one-fourth of the improvement necessary to
13 progress from the baseline to the reading goal by the spring of 2006 and is calculated as the state goal
14 of 90% less the baseline, divided by four.

15 ~~(6)~~(7) "~~4th-grade~~ 3RD-GRADE reading assessment" means the ~~reading portion of any standardized~~
16 achievement MEASURED BY THE CRITERION-REFERENCED test given annually to all public elementary school
17 students in ~~4th~~ 3RD grade.

18 ~~(7)~~(8) "Reading goal" means 90% of a public elementary school's annual headcount enrollment
19 of ~~4th-grade~~ 3RD-GRADE students reading at or above grade level as measured in grade-level equivalence
20 by the ~~4th-grade~~ 3RD-GRADE reading assessment.

21
22 NEW SECTION. Section 4. Reading goal. By the year 2006 and in each subsequent year, 90%
23 or more of all of this state's public elementary school ~~4th-grade~~ 3RD-GRADE students must be able to read
24 at or above the ~~4th-grade~~ 3RD-GRADE level by the end of their ~~4th-grade~~ 3RD-GRADE year.

25
26 NEW SECTION. Section 5. Achievement of reading goal. To achieve the state reading goal:
27 (1) beginning in the spring of 2002, each school district shall use classroom-based assessments
28 annually to evaluate the reading level of its kindergarten, ~~first-, second-, and third-grade~~ 1ST-GRADE, AND
29 2ND-GRADE students for the purposes of intervention and remediation;

30 (2) each school district shall assess the reading level of its ~~4th-grade~~ 3RD-GRADE students in the

spring of 2002 and in each subsequent year using the ~~4th-grade~~ 3RD-GRADE reading assessment for the primary purpose of system accountability and not primarily for the purpose of remediation beginning in ~~5th~~ 4TH grade;

(3) each elementary school shall determine its baseline, which must be its actual percentage of students reading at or above ~~4th-grade~~ 3RD-GRADE level as determined by the ~~4th-grade~~ 3RD-GRADE reading assessment administered in the spring of 2002; and

(4) each public elementary school is expected to make annual incremental improvement from its baseline. Equal annual incremental improvement must be calculated and measured on a school by school basis. The percentage of required improvement will be different for different schools because it is based on the individual baselines.

NEW SECTION. Section 6. Accountability and reporting. (1) The levels of system accountability and reporting necessary to achieve the reading goal must include the state, professional associations, principals, teachers, public schools, school districts, and parents or guardians.

(2) The superintendent of public instruction shall:

(a) report biennially to the house of representatives education committee and the senate education and cultural resources committee on the statewide progress toward the reading goal;

(b) provide progress reports on the ~~4th-grade~~ 3RD-GRADE reading assessment scores to the public in clear, understandable terms on a school, district, and statewide basis and disclose the number of ~~4th-grade~~ 3RD-GRADE students reading at each grade-level equivalent across the range from kindergarten through 8th grade;

(c) encourage schools to develop a repertoire of instructional approaches tailored to the different learning styles of students; and

(d) provide information to public elementary schools and school districts regarding organizational and instructional practices of representative schools that are making or exceeding the equal annual incremental improvement toward the reading goal.

(3) The superintendent of public instruction may not adopt a specific instructional approach. The standard for evaluating an elementary school on a district's reading instruction must be based on whether the reading instruction results in annual and incremental growth.

(4) The superintendent of public instruction shall coordinate the activities of relevant professional

1 associations by:

2 (a) meeting and conferring with each relevant professional association regarding voluntary
3 alignment of association resources to support the achievement of the reading goal; and

4 (b) reporting biennially to the house of representatives education committee and the senate
5 education and cultural resources committee on the efforts of professional associations to support the
6 achievement of the reading goal.

7 (5) Each public elementary school principal has the primary responsibility within the school for
8 providing leadership in reaching the reading goal.

9 (6) Beginning in June 2002 and in each subsequent year, each ~~4th-grade~~ 3RD-GRADE teacher shall
10 annually SCORE THE CRITERION-REFERENCED TEST AND report to the parent or guardian the reading level of the
11 child in grade-level equivalents as measured by the ~~4th-grade~~ 3RD-GRADE reading assessment.

12 (7) Each public elementary school shall annually report to its community AND TO EACH PARENT IN THE
13 DISTRICT the number, the actual percentage, and the adjusted percentage of ~~4th-grade~~ 3RD-GRADE students
14 reading at or above ~~4th-grade~~ 3RD-GRADE level and the distribution and range of all reading scores in
15 grade-level equivalence based on the ~~4th-grade~~ 3RD-GRADE reading assessment required in [section 5].

16 (8) Beginning in October 2002, each district shall report annually to the superintendent of public
17 instruction AND TO EACH PARENT IN THE DISTRICT the number, the actual percentage, and the adjusted
18 percentage of ~~4th-grade~~ 3RD-GRADE students reading at or above grade level on the ~~4th-grade~~ 3RD-GRADE
19 reading assessment required in [section 5].

20 (9) Parents are a child's first and most influential teacher. Public school districts shall provide
21 encouragement and support for parents to read with their children at least 20 minutes a day from birth
22 through ~~4th~~ 3RD grade.

23

24 ~~NEW SECTION. Section 7. Unfunded mandate laws superseded.~~ The provisions of [this act]
25 ~~expressly supersede and modify the requirements of 1-2-112 through 1-2-116.~~

26

27 NEW SECTION. SECTION 7. STATE REIMBURSEMENT FOR TEST PURCHASE. THE STATE SHALL PROVIDE \$1 IN
28 FUNDING FOR EACH CHILD ENROLLED IN A MONTANA PUBLIC ELEMENTARY SCHOOL FOR THE PURPOSE OF REIMBURSING
29 SCHOOL DISTRICTS THAT PURCHASE THE CRITERION- REFERENCED TEST REQUIRED FOR TESTING EACH 3RD-GRADE STUDENT.

30

1 NEW SECTION. **Section 8. Codification instruction.** [Sections 1 through 6] are intended to be
2 codified as an integral part of Title 20, chapter 7, part 1, and the provisions of Title 20, chapter 7, part
3 1, apply to [sections 1 through 6].

4

5 NEW SECTION. **Section 9. Effective date.** [This act] is effective July 1, 2001.

6

- END -